

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

ROBERT REIFSCHEIDER,

Plaintiff,

v.

Case No. 18-C-146

DR. THOMAS GROSSMAN, et al.,

Defendants.

ORDER DENYING MOTION FOR DEFAULT JUDGMENT

On January 29, 2018, Plaintiff Robert Reifsneider, who is representing himself and currently incarcerated at Wisconsin Secure Program Facility, filed this complaint alleging federal and state law claims against various defendants. ECF No. 1. On May 4, 2018, the Court screened Reifsneider's complaint and allowed him to proceed on certain claims against several of the defendants. On June 4, 2018, the Court directed the United States Marshal to affect service upon Dr. Grossman. On June 19, 2018, Dr. Grossman filed his executed waiver of service, which he signed on June 4, 2018. ECF No. 18. Pursuant to Federal Rule of Civil Procedure 4(d), Dr. Grossman had sixty days from when he executed his waiver of service, or until August 3, 2018, to file his answer or otherwise respond. On July 24, 2018, Dr. Grossman filed his answer. ECF No. 25. On July 26, 2018, Reifsneider moved for default against Dr. Grossman, alleging that Dr. Grossman did not file his response within the proper amount of time. However, Dr. Grossman's answer was not due until August 3, 2018; therefore, his July 24, 2018 answer was timely.

IT IS THEREFORE ORDERED that Plaintiff's motion for entry of default (ECF No. 31) is **DENIED**.

Dated this 31st day of July, 2018.

s/ William C. Griesbach
William C. Griesbach, Chief Judge
United States District Court